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**Our Case No. 09792909-4809**

#8/A A  
9.13.3 (NR)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**In re Application of:**

Atsuo Omaru et al.

**Serial No. 09/810,962**

**Filing Date: March 16, 2001**

**For: NON-AQUEOUS ELECTROLYTE  
SECONDARY BATTERY AND METHOD OF  
PREPARING CARBON-BASED MATERIAL  
FOR NEGATIVE ELECTRODE**

Examiner: Tracey Mae Dove

**Group Art Unit No.: 1745**

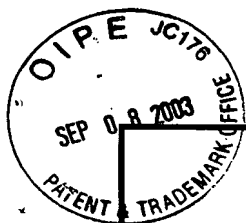
## AMENDMENT A

**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

**Dear Sir:**

Responsive to the Office Action of March 16, 2003, Applicants respectfully request reconsideration in light of the following amendments and remarks.

09/15/2003 FALLEN 00000002 193140 09810962  
01 FC:1251 110.00 DA



1745

# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission 15

Application Number 09/810,962  
Filing Date March 16, 2001  
First Named Inventor Atsuo Omaru et al  
Group Art Unit 1745  
Examiner Name Tracey Mae Dove  
Attorney Docket Number 09792909-4809

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## ENCLOSURES (check all that apply)

- ☒ Transmitted herewith is the Amendment A.  
☒ The fee has been calculated as shown below:

| (1)<br>FOR            | (2)<br>CLAIMS<br>REMAINING AFTER<br>AMENDMENT   | (3) | (4)<br>HIGHEST NO.<br>PREVIOUSLY PAID<br>FOR | (5)<br>PRESENT<br>EXTRA   | (6)<br>RATE  | (7)<br>ADDITIONAL<br>FEE |
|-----------------------|---|-----|--|---|--|--------------------------|
| TOTAL<br>CLAIMS       | 7   | -   | 46   | 0   | <input type="checkbox"/> x \$9.00<br><input type="checkbox"/> x \$18.00                | \$0                      |
| INDEPENDENT<br>CLAIMS | 5   | -   | 8  | 0   | <input type="checkbox"/> x \$42.00<br><input type="checkbox"/> x \$84.00               | \$0                      |
|                       | APPLICATION AMENDED TO CONTAIN<br>ANY MULTIPLE DEPENDENT CLAIMS NOT<br>PREVIOUSLY PAID FOR. |     |  | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO | <input type="checkbox"/> x \$140.00<br><input type="checkbox"/> x \$280.00<br>ONE TIME | \$0                      |
|                       | TOTAL ADDITIONAL FEE<br>FOR THIS AMENDMENT  |     |  |   |  | \$0                      |

- ☐ Applicant petitions the Commissioner for Patents to extend the time for responding to the Office Action dated \_\_\_\_\_ by \_\_\_\_\_ month(s) for a fee of \$ \_\_\_\_\_ so that the period for response is extended to \_\_\_\_\_ under 37 C.F.R. § 1.321.
- ☐ The amount of \$ \_\_\_\_\_ for the Terminal Disclaimer under 37 C.F.R. § 1.321 is included in the enclosed check.
- ☐ The amount of \$ \_\_\_\_\_ for the Amendment under 37 C.F.R. § 1.312(b) is included in the enclosed check.
- ☐ The enclosed credit card payment form to charge the amount of \$ \_\_\_\_\_ covers the extension and claim fees.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or to credit any overpayment to Account No. 19-3140. A duplicate of this sheet is enclosed.

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

14. ☒ Customer No. 26263

Dated: September 5, 2003

David R. Metzger, (Registration No. 32,919)

## CERTIFICATE OF ~~FACSIMILE~~ MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below.

Dated: September 5, 2003

David R. Metzger